



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,277	09/30/1999	DONALD P. PAZEL	YO9-99-302	5131

30743 7590 02/04/2004

WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
11491 SUNSET HILLS ROAD
SUITE 340
RESTON, VA 20190

EXAMINER

OPIE, GEORGE L

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 02/04/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

phl

Office Action Summary	Application No.	Applicant(s)	
	09/409,277	Pazel et al.	
	Examiner	Art Unit	
	George L. Opie	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 6 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ☐ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ☐ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ☐ is/are objected to.
- 8) ☐ Claim(s) ☐ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ☐ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ☐ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ☐.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|--|--|
| 14) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 17) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <input type="checkbox"/> . |
| 15) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 18) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 16) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <input type="checkbox"/> . | 19) <input checked="" type="checkbox"/> Other: Text Doc for USP5,883,639 |

Art Unit: 2126

DETAILED ACTION

This Office Action is responsive to Amendment A and Applicant's request for reconsideration.

The Office acknowledges Applicant's inclusion of an electronic copy of the amendment on a 3½inch floppy disk, and the Office would like to thank Applicant for submitting the amendment in electronic form to expedite its processing.

1. The U.S. Patents used in the art rejections below have been provided as text documents which correspond to the U.S. Patents. The relevant portions of the text documents are cited according to page and line numbers in the art rejections below. For the convenience of Applicant, the cited sections are highlighted in the *text documents*. Consistent with Office procedure, the U.S. Patents corresponding to the *text documents* are also included with this action.

2. Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Walton et al. (U.S. Patent 5,883,639).

As to claim 1, Walton teaches a computer implemented method of visual representation of programming objects as graphical elements (visual software engineering ... graphical objects, p5 12-40) wherein programming properties of programming objects are reflected through graphical properties of graphical elements (screen objects ... reflect changes in external data, p4 27-51) the method comprising the steps of:

detecting a change in a state of a data element representing a programming object in visual representation and shown visually on a display device (VSE object tracks a behavior function such that when a value change occurs the VSE object can change its graphical representation and update itself on the display, p13 40-52) wherein the data element represents a programming object as graphical elements and programming properties of programming

Art Unit: 2126

objects are reflected through graphical element properties (hierarchical, object-oriented approach is used to allow properties to be attached to all "instances" of the graphics elements, p4 27-51)

determining graphical aspect changes that apply to graphical elements of the programming object appropriate for the change in state (define the behavior of an object in response to an input value from a target application or some other system event, p7 35-47) and

applying the graphical aspect changes to corresponding graphical elements (transformation to apply to the object to get the object into that state, p21 39-43) wherein the graphical aspect changes include changes in color, position and size (graphics transformation of the object, such as change of color, move, rotate, scale ..., p9 18-25).

As to claim 2, Walton (p17 47 – p18 4) teaches traversing a list of graphical aspect references to acquire a graphic aspect for the data element and determining whether the graphic aspect applies to the change in state.

As to claim 3, Walton (p21 19-24) teaches the programming object logically contained in another object.

As to claims 4-5, Walton (p10 1-20) teaches that more than one visual representation is defined and may be used for a programming object.

As to claims 6-7, Walton (p11 28-33) teaches a visual representation of a superclass of the programming object is used as a visual representation for a subclass of the programming object.

As to claim 8, note the rejection of claim 1 above. Claim 8 is the same as claim 1, except claim 8 is an apparatus claim and claim 1 is a method claim.

As to claim 9, note the rejection of claim 1 above. Claim 9 is the same as claim 1, except claim 9 is a computer program product claim and claim 1 is a method claim.

4. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure. Each reference disclosed below is relevant to one or more of the Applicant's claimed invention.

U.S. Patent No. 5,832,270 to Laffra et al. which teaches the graphical components for displaying object actions/events; and,

U.S. Patent No. 5,517,663 to Kahn which teaches the visual elements corresponding to program states.

Art Unit: 2126

5. Response to Applicant's Arguments:

Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

The Office acknowledges Applicant's inclusion of an electronic copy of the amendment on a 3½ inch floppy disk, and the Office would like to thank Applicant for submitting the amendment in electronic form to expedite its processing.

6. Request for copy of Applicant's response on floppy disk:

Please help expedite the prosecution of this application by including, along with your amendment response in paper form, an electronic file copy in WordPerfect, Microsoft Word, or in ASCII text format on a 3½ inch IBM format floppy disk.

Please include all pending claims along with your responsive remarks. Only the paper copy will be entered -- your floppy disk file will be considered a duplicate copy. Signatures are not required on the disk copy. The floppy disk copy is not mandatory; however, it will help expedite the processing of your application. Your cooperation is appreciated.

7. Contact Information:

PTO Policy for Facsimile Submissions:

- ☐ AFTER-FINAL faxes must be signed and sent to (703) 746-7238.
- ☐ OFFICIAL faxes must be signed and sent to (703) 746-7239.
- ☐ NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

- ☐ All responses sent by U.S. Mail should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit: 2126

- ☐ Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.
- ☐ Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.
- ☐ Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (703) 308-9120 or via e-mail at *George.Opie@uspto.gov*. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100